

BROMBERG LAW LLC

Yael Bromberg, Esq., Principal
Brett M. Pugach, Esq., of Counsel

43 West 43rd Street, Suite 32
New York, NY 10036-7424

T: (212) 859-5083 | F: (201) 586-0427

P.O. Box 1131
Glen Rock, NJ 07452-1131

July 10, 2020

VIA ELECTRONIC FILING

Hon. Freda L. Wolfson, C.J.
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 2020
Trenton, NJ 08608

RE: Conforti v. Hanlon, Case 3:20-cv-08267-FLW-TJB
Notification of Questioning of Constitutionality of State Statute

Dear Honorable Chief Judge Wolfson,

This firm represents the plaintiff, Christine Conforti (“Plaintiff”) in the above-captioned matter. Please accept this correspondence pursuant to Local Civil Rule 24.1(b) which requires Plaintiff to notify the Court of the existence of a challenge to the constitutionality of a state statute, and relatedly 28 U.S.C. 2403(b), which provides that the Court shall certify such fact to the Attorney General of the State.

On July 6, 2020, Plaintiff filed a complaint in the above captioned matter (“Complaint”) which calls into question the constitutionality of New Jersey’s primary election bracketing and ballot order/placement system. Among other items, the Complaint questions the constitutionality of the laws that enable candidates running for different offices to be bracketed together in the same column or row of the ballot and which allow bracketed groupings of candidates to be placed in a preferential ballot draw and drawn first for ballot position vis-à-vis other candidates running for the same office, including but not limited to *N.J.S.A. 19:49-2* and *N.J.S.A. 19:23-26.1*, as written and as interpreted by court decisions. Plaintiff contends that such laws violate her First and Fourteenth Amendment rights under the Federal Constitution, unduly burdening the right to vote, and violating her right of equal protection and freedom of association, as well as corresponding rights protected by the New Jersey State Constitution, including Article II, Sec. 1, Para. 3, Article I, Para. 1, and Article I, Para. 6.

Thank you for the Court’s attention to this matter.

Respectfully submitted,

/s/ Brett M. Pugach
Brett M. Pugach, Esq.
BROMBERG LAW LLC

Counsel for Plaintiff,
Christine Conforti